

## Chapter 16.30 AFFORDABLE HOUSING REQUIREMENTS

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### Section 16.30.10 Definitions.

**(1) Affordable.** Housing that costs no more than thirty (30) percent of a household's income.

**(2) Affordable Housing.** Housing occupied or reserved for occupancy by households with a gross household income equal to or less than eighty (80) percent of the median gross income of the metropolitan statistical area for households of the same size. Such housing cannot cost more than thirty (30) percent of a household's income.

**(3) Affordable Housing Agreement.** A legally binding agreement between a Developer, the County and County Housing Authority which insures that the requirements of this chapter are satisfied.

**(4) Allowable Housing Expense.** The total monthly or annual recurring expenses required of a household to obtain shelter. These expenses include loan principal and interest, property and mortgage insurance, property taxes, homeowners' association dues, etc. In a rental unit only, this amount would include the cost of obtaining basic public utility services.

**(5) Affordable Housing Unit.** A dwelling unit that will be offered for rent or sale exclusively to, and which shall be affordable to, lower-income households as required by this chapter.

**(6) Base Residential Units.** The number of lots or Equivalent Residential Units (ERU's) associated with each development from which are calculated the number of affordable units to be provided or the amount of the fee-in-lieu to be paid.

**(7) Conversion.** The change of status of a dwelling unit from a purchased unit to a rental unit or vice versa.

**(8) Employee Housing Unit.**

(a) A dwelling unit which shall not be leased or rented for any period less than thirty (30) consecutive days, and shall be rented only to tenants who are full-time or seasonal employees and shall be employed by the resort. Housing provided on site for employees may include the following types:

- (i) Dormitory;
- (ii) Efficiency Unit; and
- (iii) One (1), two (2), or three (3) bedroom apartments (up to one thousand (1,000) square feet).

(b) The compensation from the Resort Development employer of seasonal employee occupying Seasonal Employee Housing Units may not exceed eighty (80) percent of the Wasatch County median income adjusted to a one (1) person household for the period of occupancy and the rental rate charged fulltime employees for Full Employee Housing Units by the Resort Development employer may not exceed the HUD established rental rate for a SRO/Studio adjusted to eighty (80) percent of a one (1) person household. The Resort Development employer operating Full Time Employee Housing Units shall report occupancy and qualification with the provisions of this ordinance annually to the Wasatch County Housing Authority.

**(9) Equivalent Residential Unit (Also known as an "ERU").** A unit size, which represents the size of an average single family home, which comfortably houses at least four (4) people. Smaller units shall represent a portion of an equivalent residential unit (ERU). The Planning staff shall make a determination of ERU calculations using the Unit Equivalent Chart contained in Appendix 2, Figure 11 of this Title as a guide (this chart may also be found in Chapter IV.C.5 of the Jordanelle Land Use Plan [JLUP]), which shall be subject to review by the Planning Commission and established as part of preliminary approval. For obvious reasons Affordable Housing needs shall be met with residential ERUs. This chart is also provided to show the ERU calculations for Commercial and Industrial uses for purposes of establishing the number of ERUs, which must be provided to meet the requirement of Affordable Housing in residential ERUs.

**(10) Financial Assistance.** Assistance to include, but not be limited to, the subsidization of fees, infrastructure, land costs, or construction costs, the use of Community Development Block Grant (CDBG) Funds, down payment assistance, interest buy-downs, or the provision of other direct financial aid or other monetary compensation, by Wasatch County or the Wasatch County Housing Authority.

**(11) Low Income.** Eighty (80) percent or less of median family income for Wasatch County.

**(12) Market Rate Unit.** A dwelling unit where the rental rate or sales price is not restricted by requirements imposed by local, state or federal Affordable Housing programs.

**(13) Moderate Income.** Eighty one (81) percent to one hundred twenty (120) percent of median family income for Wasatch County.

**(14) Qualified Applicants.** Applicants for Low-Income units must make eighty (80) percent or less than median family income for Wasatch County.

Applicants for Moderate-Income units must make between eighty one (81) percent and one hundred twenty (120) percent of median family income for Wasatch County. If all other requirements are equal, first preference shall be given to applicants who have been residents of Wasatch County for at least ninety (90) days prior to application. Second preference shall be given to applicants who reside elsewhere, but are employed full-time in Wasatch County. Third preference shall be given to applicants who neither work nor live in Wasatch County.

**(15) Resort Development.** A mixed use development consisting of a group or groups of buildings containing more than five (5) dwelling units and/or guest rooms and providing recreational activities that may include skiing, golf, horseback riding, swimming, tennis, spa, and similar activities. A resort may furnish services customarily furnished by a hotel, including a restaurant, cocktail lounge, and convention facilities.

**(16) Seasonal Employee Housing Unit.** A dwelling unit with the primary purpose of providing housing for seasonal employees of a Resort Development.

Except for off-season incidental use, the unit shall not be leased or rented for any period less than thirty (30) consecutive days, and shall be rented only to tenants who are full-time or seasonal employees of the Resort Development shall be allowed provided that such rental does not exceed a total of ninety (90) days per annum. Seasonal Employee Housing Units provided on site for employees may include the following types:

- (a) Dormitory;
- (b) Efficiency Unit;
- (c) One (1), two (2), or three (3) bedroom apartments no larger than one thousand (1,000) square feet.